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Testimony AGAINST HB 198

Senate Energy & Telecomm. Comm.
Exhibit No. 19
Date 3/3/2011
Bill No. HB 198

1. HB 198 Expands Eminent Domain Law In Montana – HB 198 will allow private property to be condemned for private business purposes. HB 198 creates a way of doing business that takes private property for the sole purpose of economic gain or development for one individual or corporation. Additionally, "other services" in this bill are defined as merchant lines which operate in a competitive business environment. Should we give risk-taking business ventures the power to take private property?

2. HB 198 Provides Insignificant In-State Permanent Jobs – Because HB 198 is focused on MATL and presumably other utility-related projects, it is educational to look at potential jobs related to transmission line projects. The MATL EIS states that the "expected beneficial effect of this long term employment on the line would be minor". Additionally, the CEO of MATL said at a 2007 Annual General Meeting that...."we will be in essence a virtual company". As for MSTI – another transmission line in the queue - the DEIS for MSTI (prepared by government agencies with NWE funds) states that permanent in-state jobs created by MSTI would be "insignificant". And – nowhere in these documents is there a discussion of job destruction as a result of these projects. Loss of agricultural ground, loss of tourism dollars, and loss of a community's ability to attract new growth because of these projects are not a part of the "jobs" discussion.

3. HB 198 Gives Individuals Or Companies Another Tool To Condemn Private Property Rather Than Use Public Land – HB 198 will make it easier for corporations to "take" private lands instead of negotiating with public lands agencies and public lands advocates for siting projects on public lands. One acre of public land used to build these projects is one less acre of private property that needs to be condemned. If a project is truly intended for public good, then public land should be used.

4. HB 198 Will Set the Course For Montana's Future With Merchant/Export Lines –Montanans typically deal with pipelines, low-voltage power lines, and the federally-owned Bonneville Power Administration 500 kV transmission line that runs west from Colstrip to the U.S. Northwest. But – the state has never been faced with the prospect of numerous above-ground, high-voltage merchant/export lines. These lines will be a burden on the state rate-payers and serve no public-use for the average Montana citizen. Is Montana willing to surrender their private property rights for private corporate interests?